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8 Attorneys for Defendant  
 9 EMPIRIUM LEATHER COMPANY, INC., A New  
 Jersey Corporation doing business as ROYCE  
 LEATHER

10  
 11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13  
 14 VALLAVISTA CORPORATION, a  
 California corporation,

15 Plaintiff,

16 v.

17 AMAZON.COM, INC., a Delaware  
 18 corporation, TARGET CORPORATION, a  
 Minnesota corporation, EBAGS, INC., a  
 Colorado corporation, EMPORIUM  
 LEATHER COMPANY, INC., a New  
 Jersey corporation, doing business as  
 ROYCE LEATHER, and FASHION  
 HANDBAGS, INC., a Nevada corporation,  
 doing business as BO BO BAGS,

19 Defendants.

20 CASE NO. C07-05360 WHA

21  
**DECLARATION OF ELISE R. VASQUEZ  
 IN RESPONSE TO ORDER TO SHOW  
 CAUSE**

22 Date: February 28, 2008  
 Time: 11:00 a.m.  
 Ctrm: 9  
 Judge: Hon. William Alsup

23 I, Elise R. Vasquez declare as follows:

24 1. I am a partner with the law firm of Ropers, Majeski, Kohn & Bentley and counsel  
 for Emporium Leather Company, Inc., defendant herein, on whose behalf I make this declaration.  
 25 If called as a witness, I would competently testify to the following facts, all of which are within  
 26 my own personal knowledge.

27 2. Late Friday afternoon of February 22, 2008, I was retained as counsel for  
 28 Emporium Leather Company, Inc., to finalize a settlement Emporium had reached with Plaintiff.

3. Enclosed in the case file materials forwarded to me by Emporium was copy of the Order to Show Cause.

4. After retention by Emporium to represent it in a finalizing settlement, I immediately called this Court to advise it that a settlement had been reached between Emporium and VallaVista and to ask if a response to the Order to Show Cause was still required by the Court.

5. I received a message today from Ms. Toland that a response was still required.

6. I immediately researched the docket in this matter and saw that no stipulation had been filed in regards to the extensions granted by plaintiff's counsel to Emporium in which to respond to the Complaint and that no appearance had been made by Emporium.

7. A Notice of Settlement will be filed within the next few days with this Court and it is anticipated that a dismissal will be filed within thirty (30) days.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed on February 25, 2008, at Redwood City, California.

/s/ Elise R. Vasquez  
ELISE R. VASQUEZ